

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HELEN MEIMARIS AS EXECUTRIX and LEGAL
REPRESENTATIVE OF THE ESTATE OF ALKIVIADES
MEIMARIS AND HELEN MEIMARIS,
Plaintiffs,

-against-

JOSEPH E. ROYCE, LAWRENCE A. BLATTE,
TULIO PRIETO, JAIME LEROUX,
TBS Shipping Services Inc., Guardian Navigation,
Services Inc., Gruposedei and Tecnisea,
Defendants.

X

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

X

1:18-cv-4363 (GBD)(BCM)

ALKISTIS G. MEIMARIS'
AFFIRMATION IN
OPPOSITION TO
DEFENDANT TULIO
PRIETO'S MOTION TO
DISMISS PLAINTIFFS'
THIRD AMENDED
COMPLAINT

I, ALKISTIS G. MEIMARIS, an Attorney duly admitted to practice before this Court, hereby affirms under penalty of perjury, the following is true and correct:

1. I am the Attorney of record for the Plaintiffs, Helen Meimaris as Legal Representative and Executrix of the Estate of Alkiviades Meimaris and Helen Meimaris.

2. I am fully familiar with the facts set forth herein, and make this Affirmation in Opposition Tulio Prieto's Motion to Dismiss Plaintiffs Third Amended Complaint and motion to stay discovery.

3. Attached as Exhibit 1, hereto is a true and correct copy of decedent, Captain Meimaris' dying declaration Affidavit, dated and duly notarized on November 30, 2013.

4. Attached as Exhibit 2, hereto is a true and correct copy of an email dated August 29, 2008 from Lawrence Blatte to Alkistis Meimaris with regard to not allowing Captain Meimaris to transfer his shares and email from Tara DeMakes dated

May 13, 2008 with regard to Alkistis Meimaris meeting with her to discuss Lawrence Blatte's mandate to Captain Meimaris not to sell his shares in TBS International.

5. Attached as Exhibit 3, hereto is a true and correct copy of decedent, Captain Meimaris' stock certificates for Class A and Class B shares in TBS International, Captain Meimaris' checks, purchasing his shares in TBS International and letter from Lawrence Blatte, dated December 7, 1997 directing the deposit of those checks.

6. Attached as Exhibit 4, hereto is a true and correct copy of the Insider Trading Log from Google Court-Drive dated October 9, 2018.

7. Attached as Exhibit 5, hereto is a true and correct copy of the corporate structure and share holdings of TBS Ecuador.

8. Attached as Exhibit 6, hereto is a true and correct copy of the Stock Purchase Agreement of Alkis Meimaris of TBS Commercial Group dated January 2, 1996.

9. Attached as Exhibit 7, hereto is a true and correct copy of the corporate structure and shareholding's of TBS Commercial Group.

10. Attached as Exhibit 8, hereto is a true and correct copy of the closing date of the Bankruptcy Reorganization case dated June 29, 2012.

11. Attached as Exhibit 9, hereto is a true and correct copy of decedent, Captain Meimaris' TBS Shipping Inc. Share certificate dated November 3, 1995.

12. Wherefore, in light of all of the evidentiary documentation against the Defendants, it is respectfully requested for the reasons set forth in the accompanying

Memorandum of Law, that Defendants Messrs. Royce and Blatte motion to dismiss Plaintiffs' Third Amended Complaint should be denied and discovery should be compelled.

13. I declare under penalty of perjury, that the foregoing is true and correct.

/s/ Alkistis G. Meimaris
ALKISTIS G. MEIMARIS

Dated: October 15, 2018